

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**ISAAC MATTHEWS,**

**Petitioner,**

**v.**

**Civil Action No. 2:08cv45**

**KUMA J. DeBOO, Warden,**

**Respondent.**

**ORDER**

The Petitioner in the instant action filed a petition pursuant to 28 U.S.C. §2241. On March 13, 2008, the Petitioner filed a Motion to Dismiss. By Report and Recommendation filed on March 18, 2008, Magistrate Judge James E. Seibert recommended that the Clerk of Court be directed to close this case and dismiss it from the active docket. The parties were directed, in accordance with 28 U.S.C. § 636(b)(1), to file with the Clerk of Court any written objections within ten (10) days after being served with a copy of the Report and Recommendation. No objections were filed within the requisite time period.

Upon review of the matter, it is hereby

**ORDERED** that Magistrate Judge Seibert's Report and Recommendation shall be, and the same hereby is, accepted in whole. Accordingly, the Petitioner's Motion to Dismiss is hereby **GRANTED**, and the Clerk of Court is directed to close the above-styled civil action and dismiss it from the active docket of this Court.

**ENTER:** May 27<sup>th</sup>, 2008

**/s/ Robert E. Maxwell**  
United States District Judge